

# Virginia Department of Historic Resources

## PIF Resource Information Sheet

This information sheet is designed to provide the Virginia Department of Historic Resources with the necessary data to be able to evaluate the significance of the district for possible listing in the Virginia Landmarks Register and the National Register of Historic Places. This is not a formal nomination, but a necessary step in determining whether or not the district could be considered eligible for listing. Please take the time to fill in as many fields as possible. A greater number of completed fields will result in a more timely and accurate assessment. Staff assistance is available to answer any questions you have in regards to this form.

<b>General Property Information</b>		For Staff Use Only DHR ID #: 127-6717	
District Name(s):	Forest Hill Annex Historic District		
District or Selected Building Date(s):	1883-1960	<input checked="" type="checkbox"/> Circa <input type="checkbox"/> Pre <input type="checkbox"/> Post	Open to the Public? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Main District Streets and/or Routes:	Reedy Creek (north); Bland St (east); Midlothian Turnpike (south); Crooked Branch Ravine Park and George Wythe High School parcel line (west)		
County or Ind. City:	Richmond	USGS Quad(s):	Richmond
<b>Physical Character of General Surroundings</b>			
Acreage: 68 (ca.)    Setting (choose one): <input type="checkbox"/> City <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Town <input type="checkbox"/> Suburban <input type="checkbox"/> Rural <input type="checkbox"/> Transportation Corridor			
Site Description Notes/Notable Landscape Features/Streetscapes: Forest Hill Annex, a turn-of-the-twentieth century "streetcar suburb", is generally laid out in a gridiron plan. The majority of lots are rectangular. The individual lots vary considerably in size. Along West Roanoke Street and Northrop Street, the lots are quite large, typically between 100 and 125 feet wide and between 300 feet and 400 deep. Along Dunston and Moody Avenues and along the north side of Crutchfield Street, the lots are smaller and standardized, typically 50 feet wide and between 140 and 200 feet deep. Most of the terrain is relatively level or gently rolling. The landscape is slightly rugged along Reedy Creek, which forms the north boundary.			
Ownership Categories:	<input checked="" type="checkbox"/> Private <input type="checkbox"/> Public-Local <input type="checkbox"/> Public-State <input type="checkbox"/> Public-Federal		

<b>General District Information</b>	
What were the historical uses of the resources within the proposed district? Examples include: Dwelling, Store, Barn, etc...	
Dwellings, apartment buildings, churches	
What are the current uses? (if other than the historical use)	
Architectural styles or elements of buildings within the proposed district:	Craftsman/Bungalow; Colonial Revival; Cape Cod; Tudor and Dutch Revivals; Victorian/Queen Anne; Ranch
Architects, builders, or original owners of buildings within the proposed district:	Michael and Katharina Stein; Martha Ford Blizzard
Are there any known threats to this district?    Neglect	

**General Description of District:** (Please describe building patterns, types, features, and the general architectural quality of the proposed district. Include prominent materials and noteworthy building details within the district and a general setting and/or streetscape description.)

Forest Hill Annex is located on the south side of the James River, approximately one-half mile from downtown Richmond, Virginia. The proposed district is bounded by Midlothian Turnpike on the south, Reedy Creek on the north, Bland Street on the east, and the parcel lines of Crooked Branch Ravine Park and George Wythe High School on the west. North of Crutchfield Street, the west boundary abuts Crooked Branch Ravine Park, a verdant, natural buffer area along both sides of Reedy Creek. [Crooked Branch Ravine Park was once part of the adjacent Northrop Estate. Today the park is part of the James River Park system and is owned by the City of Richmond.] South of Crutchfield Street, the west boundary borders the property line of George Wythe High School. The proposed district follows the legal platted subdivision boundaries filed in Chesterfield County in 1907. The present-day street grid and lot layout corresponds to the 1907 plat.

Forest Hill Annex was platted and developed synchronously with other nearby "streetcar suburbs". Nearly all of the primary resources (124 of 128) are single-family dwellings. The neighborhood also has two churches and two clusters of modern apartment buildings on West Roanoke Street which runs from north to south through the midline of the neighborhood. The proposed Forest Hill Annex, coeval with the larger Forest Hill neighborhood, is contiguous to Forest Hill Historic District on the north boundary.

There are 124 dwellings in Forest Hill Annex. Approximately 80% of the contributing resources were built before 1930. The Sanborn Fire Insurance Maps show that 46 houses were built before 1919. Between 1919 and 1930, 53 additional houses were erected within the boundaries. By 1960, most of the original lots in Forest Hill Annex were developed. The houses are mostly one, one-and-one-half or two stories and are of brick or wood frame construction.

Forest Hill Annex is characterized by a variety of architectural styles popular in the first half of the twentieth century. Dwellings of brick, wood frame and weatherboard, and stucco appear along most of the streets. There are concentrations of small mid-twentieth century, Cape Cod-style houses, mostly brick, in the sections that were developed in the post-World War II boom. The neighborhood includes examples of Victorian/Queen Ann; Craftsman/Bungalow; Colonial Revival; Dutch and Tudor Revival; Cape Cod, and Ranch architectural styles. Throughout the neighborhood, mature trees, foundation plantings, and landscape strips contribute to the well-established feeling. Curbs, sidewalks, rear alleys, and uniform set-backs are characteristic of the houses built after c. 1906 when the formal plat was filed. Most of the streets are residential, two way streets with on-street parking. The exception is West Roanoke Street which serves as a local thoroughfare and is characterized by high traffic volume.

The oldest dwelling in the district is the former farmhouse at 200 Bland Street. Although it is "under cover", the dwelling is a structural stone building. According to local tradition, the farmhouse was situated on the plantation called Frog Level purchased by Katharina Stein in 1893. This may be the dwelling occupied by Katharina Stein while she laid out the street grid of the streetcar suburb.

Present within the boundaries are several Victorian/Queen Ann-style houses, probably among the earliest houses to be erected. Typically, a Victorian dwelling is a large frame-and-weatherboard building with an asymmetrical facade, square or polygonal towers or bays, prominent front (and side) gables, multiple intersecting roof planes, decorative scroll-sawn

details, and/or wrap-around first-story porches. Examples are 4010 Crutchfield Street and 4018 Northrop Street.

Numerous examples of Colonial Revival-style houses are found in the neighborhood. A typical dwelling may display a symmetrical facade, a two or three story square or rectangular form, a front entrance system with fanlights, transoms, and sidelights, evenly spaced double-hung windows, and a columned front porch. Examples of the Colonial Revival style are 4005 and 4032 Northrop Street and 216 West Roanoke Street.

Forest Hill has many variations of the Craftsman/Bungalow architectural style. A typical house may feature one-and-one-half or two-and-one-half stories, a low-pitched, side-gable roof, brick or stucco exterior walls, a central front dormer, deep overhanging eaves, often with exposed rafter tails or decorative scrolled brackets, a full width front porch with battered columns, and double-hung windows with various pane configurations. Examples of the Craftsman and Bungalow-type dwellings may be found at 214 Bland Street; 3711 Crutchfield Street; and 3811 Midlothian Turnpike.

Among the smaller dwellings in the neighborhood are one or one-and-one-half-story buildings representing the Cape Cod style. Executed in either wood-frame and weatherboard or brick, a typical example displays a steeply-pitched side-gable roof, exterior-end brick chimneys, double-hung, sash-type windows with six or nine panes, and front-gabled dormers. Examples of this house type, executed in brick, may be found at 3706 and 3710 Crutchfield Street. A wood-frame example is 3720 Dunston Avenue.

**Significance Statement:** Briefly note any significant events, personages, and/or families associated with the proposed district. It is not necessary to attach lengthy articles or genealogies to this form. Please list all sources of information. Normally, only information contained on this form is forwarded to the State Review Board.

### **Criterion A: Women's Legal History**

Forest Hill Park Annex is eligible for listing in the National Register of Historic Places under Criterion A as a locally significant example of ***Women's Legal History***. The Annex qualifies under Criterion A because the history of the neighborhood reveals an important trend in the evolution of women's property rights.

The story of the development of Forest Hill Park Annex brings to light an unusual late-nineteenth to early-twentieth-century theme: women actively involved in real estate speculation and building construction. By contrast, the contiguous streetcar suburbs of Woodland Heights, Forest Hill, and West Manchester were platted and developed by wealthy, powerful businessmen who formed syndicates to purchase and subdivide farmland, sell lots, build houses, and provide financing to other real estate speculators and prospective buyers. In the greater Richmond metropolitan area, existing documents show that no other streetcar suburb was initiated or developed by women. Operating under the legal principle of *femme seule*, four women played an active role in the early development of Forest Hill Park Annex: Katharina Stein; Martha Ford Blizzard; Degraffenreid Taylor Robertson; and America B. Walker. Empowered by late-nineteenth-century improvements in the legal status of women, this small group on Southside broke new ground for women in the realm of property development.

- Forest Hill Annex is the only streetcar suburb in the Richmond metropolitan area inaugurated by a woman;
- The existing street grid of Forest Hill Annex is the only example among the streetcar suburbs in Richmond with a street grid designed and installed by a woman;
- The first real estate development in Forest Hill Annex was initiated by women who purchased lots and erected some of the first dwellings in the streetcar suburb;
- In the area of legal history, the development of Forest Hill Annex illustrates important nineteenth-century changes in laws related to the property rights of women.

### **Criteria A and C: Historic Residential Suburbs in the United States: Multiple Property Residential Requirements**

The Forest Hill Park Annex Historic District is being nominated under the *Multiple Property Nomination (MPD), Historic Residential Suburbs in the United States, 1830-1960*, published by the National Park Service in 2002..<sup>1</sup> The development of Forest Hill Park Annex as a historic residential suburb is tied to the growth and development of the greater Richmond metropolitan area. The district possesses the physical and associative characteristics typical of Streetcar Suburbs, 1888-1928.

As outlined in the Registration Requirements of the MPD, Forest Hill Park Annex qualifies under Criterion A because it *"reflects an important historic trend in the development and growth of a locality"* and because it *"introduced conventions of community planning important in the history of suburbanization"*.

Under Criterion C, Forest Hill Park Annex neighborhood comprises a *"collection of residential architecture"* exhibiting important examples of *"distinctive period construction, [and] method[s] of construction"*. The neighborhood also *"reflects principles of design important in the history of community planning..."*

The Annex reflects important trends for which a historic residential suburb may qualify for listing in the National Register of Historic Places:

- Exhibiting features that demonstrate significant trends in the growth and patterns of American suburbanization;
- Aiding in understanding the history of subdivision planning, residential development, house and yard design;
- Possessing examples of vernacular domestic architecture illustrating local building practices and use of materials;
- Representing a suburban design composed of its original street layout, standardized lots and set-backs (after 1907), yards, and houses that collectively illustrate the evolution of a local streetcar suburb.

### **Condition and Integrity**

The contributing buildings in the Forest Hill Park Annex Historic District retain good integrity. Most of the dwellings retain their original form, building fabric, and character-defining features. A small percentage of the houses display newer surface materials such as vinyl and aluminum siding, but the architectural character conveyed by the form and character-defining elements remains intact. Single-paned window sashes have been replaced with double-paned glass in a small percentage of the housing stock, but for the most part the original fenestration patterns remain intact. The historic plan of the district, defined by the street layout, the alleys that run parallel to most of the streets, and the size and shape of the lots, is intact. Some of the district's historic resources have been lost through the years, in some cases replaced with apartment buildings that reflect a progressive trend in suburban residential development.

### **WOMEN ACTIVE IN DEVELOPMENT OF FOREST HILL PARK ANNEX**

#### **Katherina Emick Stein (1844-1933)**

**Katharina (Catherine) Emick Stein may be credited with initiating the development of Forest Hill Park Annex. Beginning in 1883, she purchased farmland and completed the preliminary design work, subdividing the land into five squares and laying out the street grid that is in place today. During the planning period, she operated the "Stein Farm" and leased some of the farm land for quarrying.**

Katharina Emick Stein was born in Hesse, Germany. At the age of 16, she departed Bremen on the ship Johanne Wilhemine, arriving in Baltimore in July, 1860.<sup>2</sup> She likely had friends or family established in Virginia; the ship manifest records her destination as "Richmond, Virginia". On March 16, 1862, she married Michael Stein who owned and operated a butcher shop, one of the "Principal Business Houses of Manchester".<sup>3</sup> By the 1880 census, the Steins had five children.<sup>4</sup> The two oldest, both males, were working as butchers with their father while Katharina was "keeping house". Two of the three younger children were "at school".<sup>5</sup>

A prelude to her real estate activities in Forest Hill Park Annex, Katharina Stein began investing in real estate on Southside in 1879. That year she purchased multiple properties from Augustine Royall, a prominent real estate agent in Manchester.<sup>6</sup> It is likely either that Katharina had brought money into the marriage or that she had inherited money because the deed includes a strong statement of personal control over the property, even though her husband Michael Stein was listed, as was then required by law, as a co-purchaser. Augustine Royall, serving as her

trustee, reserved the right to hold real estate and personal property in trust for the "*sole use and benefit of the said Catherine [Katharina] Stein...free from the control of her present and any future husband she may have, she taking the rents issues and proffits thereof and managing the same as if she were a 'femme sole'* [Femme sole is a French term literally translated as solo woman, a statement of autonomy.], *with free power to sell, mortgage, or exchange the said property or any part thereof and to make such investments as she may think proper*".<sup>7</sup>

In 1883, Katharina Stein paid \$4750 for 70 acres of the *Frog Level Farm*, land in Chesterfield County, west of Manchester, on the north side of the Manchester and Falling Creek Turnpike.<sup>8</sup> The two tracts were identified as Lot No. 6 (44-33/100 acres) and Lot. No. 7 (25-3/4 acres) depicted on the "Charles Rhodes Plan of a Farm Subdivided", a subdivision plan recorded in 1862. Stein joined a long list of local speculative real estate investors who purchased and turned over the same property: Isaac Mercer; Edwin H. Poindexter; Charles and James M. Talbott; and Richard D. Mitchell.<sup>9</sup>

Katharina Stein secured real estate investment loans from Charles Weil and Abraham Hellstern, both of New York. The \$6780 debt was to be paid in twelve monthly installments of \$90 plus \$6000 balloon payment to the Mechanics & Manchester Bank in Manchester. Over the next ten years, she operated the "Stein Farm", leasing some of the land for quarrying, while she prepared a plan to subdivide the land into five blocks and to lay out the streets that are present today, Short Street (present-day Northrop Street); West Street (present-day Crutchfield Street); North Street (present-day West Roanoke Street; and Reedy Street (formerly Bland Street). The south boundary of the subdivision was the present-day Midlothian Turnpike, formerly known variously as the Buckingham Turnpike and the Manchester and Falling Creek Turnpike.

In 1893, Stein, like other investors during the world-wide financial collapse of that year, could not satisfy her creditors. She encumbered Stein Farm, pledging the quarry and portions of the property as collateral, but to no avail. Her creditors sold her two parcels at auction, the larger (50 acres) in 1899 and the smaller (20 acres) in 1903. As part of the foreclosure, the Chancery Court of Henrico had ordered that private bids be received. Although the land had been sold to Charles Weil and Abram Hellstern, the Court reversed the sale and awarded the Stein Farm to A.L. Adamson and F.T. Sutton because they had submitted a higher private bid.<sup>10</sup> A year later, Adamson & Sutton filed the legal plat in Chesterfield County for Forest Hill Park Annex.

An interesting footnote is that Valentine Stein, son of Katharina and Michael Stein, was the manager of Forest Hill Park in the early 1900s. His wife was Magnolia Stein who, like her mother-in-law Magnolia Stein, dabbled in real estate investment and declared her autonomy from her husband in legal documents.

### **Martha Ford Blizzard**

**The first person to invest in lots in Forest Hill Park Annex was a woman, Martha Ford Blizzard. In 1907, six months after the legal subdivision plat was filed in Chesterfield County, she purchased six prime lots along Northrop Street (then Short Street), all backing up to Reedy Creek.<sup>11</sup> She may also be the first person to build a house in Forest Hill Park Annex. In 1909, she paid real estate taxes on property valued at \$4600. Of that amount, the lot value was listed as \$600 and the building value was \$4000.<sup>12</sup>**

The legal plat for Forest Hill Annex was filed in Chesterfield County in May, 1907. By July, the company sold 6 lots of Block 5 to Martha Ford Blizzard for \$1800, numbers 1 through 6, Block No. 5. A few months later, she borrowed \$4480 from National State Bank of Richmond.<sup>13</sup> Four equal payments of \$120 were due at 6, 12, 18, and 24 months, with a balloon payment two

years later, allowing enough time for Blizzard to build and sell houses or to re-sell the lots. It is likely that Blizzard and her husband James L. Blizzard were responsible for building some houses on the lots they purchased. Chesterfield County Land Records show that taxes increased significantly within of few years after their purchase. Blizzard subsequently acquired Lots 7 and 8 and borrowed \$12,500 of additional development funds from Charles H. Zelinder of New York City.<sup>14</sup> In 1914, Blizzard defaulted and her property was sold at auction at public auction to Henry S. Winston.<sup>15</sup>

Little personal information is known about Martha Ford Blizzard. She is likely related to R.G. Ford, "formerly of Virginia but now residing in New York City", who also purchased property in Forest Hill Park Annex.<sup>16</sup> In 1908, R.G. Ford conveyed Lots no. 9 and 10, Block 2 in Forest Hill Park Annex to Katie Ford Dupuy. Later, Dupuy sold Lot 9, Square 2 to Graffie Robertson.

### **DeGraffenreid Taylor Robertson**

**DeGraffenreid "Graffie" Taylor Robertson is recognized as one of the first women to venture into real estate (land) speculation in Forest Hill Park Annex.**

DeGraffenreid "Graffie" Taylor Robertson was the daughter of W.G. Taylor, a formidable real estate investor and businessman in Woodland Heights and Forest Hill. The Taylors lived in the Fonticello mansion and owned and operated Fonticello Springs in Woodland Heights. For Graffie, the seeds of feminist financial and professional independence were probably sown at home. Her father left her mother and his first family, and without benefit of divorce, established himself with his mistress and second family in Forest Hill. Graffie's mother, Nannie Robertson Taylor, brought a sizeable dowry to her marriage. After her separation from her husband, she refused to facilitate her husband's real estate sales. By holding his property hostage, she used a trustee to execute air-tight legal documents forcing W.G. Taylor to surrender one of his most valuable assets, the Fonticello estate. Deeds stipulate that Nannie Taylor was awarded exclusive ownership and possession of the property without any interference from W.G. Taylor and full power and control over the Fonticello property "to sell, convey, mortgage, change, or bind the said land or the profits thereof" and to operate by "her own sole and individual act without the concurrence of her husband or the trustee as if she were a *'femme sole'*".<sup>17</sup>

In 1883, Graffie Taylor married John Cullen Robertson who was responsible for developing both Woodland Heights and Forest Hill and the Forest Hill street railway. During her long and apparently happy marriage (she gifted the Brookside mansion property to her husband out of "love and affection"), Graffie would have been exposed to a broad range of activities in real estate investment, development and speculation. In 1907, she became a real estate speculator in her own right, purchasing six lots in Forest Hill Park Annex, Numbers 4 through 9, Square 2.<sup>18</sup> She paid \$300 each for two of the lots, leveraging her investment to acquire the rest of the lots for a nominal \$10. She later sold the all of the lots [for a profit?].

Graffie Taylor Robertson's signature development is the present-day Brookside area of Forest Hill which is contiguous to the north boundary of Forest Hill Park Annex. After the death of her husband in 1921, Graffie became a builder-developer, subdividing her estate into smaller lots and building houses along Brookside Road.

### **America Walker**

**America B. Walker, a widow, was an early speculator in Forest Hill Park Annex and was one of the first women developers associated with the suburb.**

In 1911, America B. Walker, a widow from New York, purchased two lots in Forest Hill Park Annex, Lots 20 and 21 of Square 3.<sup>19</sup> Her purchase price, \$933 for two lots, shows that the value of lots had increased over the initial offering price of \$300. Walker built a couple of houses in Forest Hill on which she turned a profit. For example, in 1905, America B. Walker purchased part of Block 103 on West 42<sup>nd</sup> Street in Forest Hill for \$350.<sup>20</sup> After improving the property, she sold it for \$3500.<sup>21</sup> Her son-in-law Thomas Owen was also an investor in Forest Hill Park Annex.

## **An Overview of the Development of Common Law in the United States<sup>22</sup>**

Historically, the legal system in the United States was derived from the common-law system in England. Common law was based on judicial decisions of the courts, with reports of decided cases recorded and applied to subsequent cases.<sup>23</sup> The formal common-law system in England began after the Norman Conquest of 1066. The Normans spoke French and developed a system of law based on Roman and Christian canon law, often administered by literate clergy. Because the economy in Great Britain was agrarian-based, land was the most important form of wealth. The determination of property rights played a dominant role in the evolution of common law. In the Middle Ages, the principles of English common law were established in the King's Court, a singular royal court established at Westminster. Until the late-nineteenth century, common law was developed by judges, not by legislators.

Sir William Blackstone (1723-1780), the first person to lecture on English law at an English University, is widely recognized as the most influential scholar in the development of common law. Blackstone published the four-volume *Commentaries on the Laws of England* between 1765 and 1769. *Of the Rights of Persons* covered with family and public law; *Of the Rights of Things* outlined of real-property law; *Of Private Wrongs* contained the bases of civil liability, courts, and procedure; and *Of Public Wrongs* examined criminal law. Following the America War for Independence, Blackstone's *Commentaries* became the primary source of law in the United States.<sup>24</sup>

The first colonists in North America adopted English common-law traditions. Before the American Revolution, each colony passed its own statutes with governors or legislative bodies acting as courts. In practice, English legal procedures prevailed, subject to local interpretation and application. Blackstone's *Commentaries* were reprinted in America in 1771. The authors of the Declaration of Independence and the U.S. Constitution employed traditional English legal terms. The Bill of Rights (1791), the first ten Amendments to the federal Constitution, guaranteed due process of law established in *Magna Carta* in 1215 and the British Bill of Rights of 1689. By the early nineteenth century, common law evolved to address the need for security of title to property.<sup>25</sup> The Fourteenth Amendment was passed in 1868 to protect individual property rights from deprivation by both the states and the federal government without due process of law. In the second half of the nineteenth century, common-law practices began a slow transformation with the advancement of the principle of equality of the sexes.<sup>26</sup> The property rights of women evolved incrementally over a century. The Federal Civil Rights Act of 1964 outlawed discrimination on the basis of race, sex, religion, or national origin.

## **Women and the Evolution of Common Law in the United States**

The legal rights of women in the American colonies were rooted in English common law. Under traditional common law, an adult woman had the legal status of either *femme seule* (single woman) or *femme couverte* (covered woman).<sup>27</sup> *Couverture*, formally established in William Blackstone's *Commentaries on the Laws of England*, is a legal doctrine whereby a woman's legal rights are subsumed by those of her husband.<sup>28</sup> In marriage, a *femme couverte* did not possess legal rights and obligations distinct from those of her husband.<sup>29</sup> A married woman



could not own property, sign legal documents, enter into a contract, or obtain an education against her husband's wishes. If a wife were permitted to work, she was required to surrender her wages to her husband.

By contrast, *femme seule* defined the legal status of a woman who had never been married or who was divorced or widowed.<sup>30</sup> A *femme seule* had the independent right to own property, to make contracts, to trade, and to sue or be sued.<sup>31</sup> The concepts of *femme seule* and *femme couverte*, adopted in the American colonies, persisted in most states until the mid-to-late nineteenth century.

*Privy examination* was one of the few legal practices, rooted in medieval common law, that was adopted by various colonial courts to protect women's property rights. A *privy examination* was a legal practice whereby a woman was interviewed apart from her husband, typically by a justice of the peace or a notary public, to determine if she understood and agreed to the use of property she brought into the marriage (dowry) or property owned by her husband to which she might have a legal claim. A survey of more than 400 deeds, recorded in Chesterfield County, reveal that *privy examination* of married women was customary in the eighteenth and nineteenth centuries.

Two deeds, recorded in Chesterfield County in 1874 and 1881, suggest a progression in the exercise of legal rights among women in the locale, at least where real property was concerned.<sup>32</sup> The deed spells out the desire of W.G. Taylor, a well-known real estate investor and speculator in Chesterfield County, to sell various tracts of land near the town of Manchester. His wife Nannie has refused to sign the deeds of sale unless her husband conveyed a property known as Fonticello "for her sole and separate use". In this instance, Nannie Taylor exercised her power to gain control over real property through the process of *privy examination*, one of the few avenues for married women to exercise control over real property.<sup>33</sup> A pivotal case was *Drury v. Foster*, decided by the U.S. Supreme Court in December, 1864, in which a Mrs. Foster resisted her husband's decision to use her property (property which she brought into the marriage) as collateral for her husband's speculative real estate ventures. Following the Supreme Court ruling, "*the privy examination played an important role in transactions at the center of the nineteenth century economy.*"<sup>34</sup>

A decade later, Nannie Taylor took her independence a step further.<sup>35</sup> In 1881, she filed a second deed asserting her legal right as a *femme seule* to take full and permanent control of the Fonticello property. This subsequent deed established her right to "sell, convey, mortgage, change, or bind the said land or the profits thereof". Further, she gained the right to exclusive ownership and control of the property by "her own sole and individual act without the concurrence of her husband or the trustee as if she were a '*femme sole*'".<sup>36</sup>

Nannie Taylor's Fonticello property was located a few blocks from the east boundary of present-day Forest Hill and Forest Hill Park Annex. Katharina Stein, Martha Ford Blizzard, America B. Walker and Nannie's daughter Degraffenreid Taylor Robertson were her neighbors. No doubt these women developer's were cognizant of Nannie Taylor's exercise of property rights under the legal concept *femme seule*.

Progressively through the nineteenth century, as mortgages became central in financing real estate ventures,<sup>37</sup> the legal principle of *femme seule* became a double-edged sword. Insolvent real estate speculators were no longer able to shield personal property from foreclosure by using *couverture* and *privy examination*. In the post-Civil War period, new laws dismantled the principle of *couverture*, enabling a woman to earn wages, to serve as executor of a will, to sue or be sued, and to own property independently.<sup>38</sup> From the late 1830s to the early 1870s, every

state legislature passed married women's property acts. By dismantling the *privy examination* laws, the courts "treated married women as equals and took them seriously as commercial actors".<sup>39</sup>

## **A Brief History of Forest Hill Park Annex**

Forest Hill Park Annex is a prototypical American streetcar suburb, developed mostly in the first half of the twentieth century. The neighborhood developed due to its proximity to Richmond and Manchester and the Forest Hill streetcar lines. The expansion of residential neighborhoods on the south side of the James River in the early decades of the twentieth century was propelled by commercial and industrial expansion. The City of Richmond capitalized on the growth of outlying suburbs by annexing Manchester in 1910 and various south-side suburbs, including Woodland Heights, Forest Hill, and Forest Hill Annex in 1914. The Annex is comparable in design and architectural character to the Woodland Heights and Forest Hill Historic Districts.

Forest Hill Annex was derived from a 192-acre antebellum plantation called Frog Level. Frog Level was part of a larger land area slated for development, encompassing Lots 5 through 21 on the "Plan of the Farm" filed in Chesterfield Courthouse by Charles Rhodes in 1862. In the 1860s and 1870s, Lots 5 through 21 of the Plan passed through the hands of several well-known Richmond real estate magnates including Charles and James Talbott, Edward H. Poindexter and Wellington Goddin, among others. In 1883, Michael and Katherina Stein acquired Lots 6 and 7 of the Rhodes Plan and initiated the development of Forest Hill Annex. *Their initial plan, printed circa 1890, shows the 70-acre Annex-parcel divided into 5 large squares with the street grid that exists today.* When the Steins defaulted on their loans, the property was acquired, in 1906, by Adamson & Sutton, a real estate company in Manchester. *In 1907, Adamson & Sutton filed a more refined subdivision plat for Forest Hill Annex.* The land area on the plat showed the earlier 5 squares and the street grid. Sections 2 through 5 were divided into relatively large lots; section 1 was a single large land area. A comparison of the original plat with the present-day layout shows that Section 1 and portions of Sections 2 and 4 were further subdivided into the smaller lot sizes that exist today.

There are 124 dwellings in Forest Hill Annex. The Sanborn Fire Insurance Maps indicate that 46 houses, or 37%, of the neighborhood was built before 1919. By 1930, an additional 53 houses appeared, representing an 80% build-out of the available lots. By 1951, the Annex was 90% developed. The dwellings are primarily single family with uniform setbacks and mostly standardized rectangular lots. Variations occur generally due to irregularities in topography, especially along the edge of Reedy Creek. The houses, mostly one, one-and-one-half or two stories are of brick or wood frame construction. Reflecting popular tastes in architectural style from the first half of the twentieth century, the neighborhood displays well-built examples of Craftsman/Bungalow; Colonial Revival; Cape Cod; Tudor and Dutch Revivals; Victorian/Queen Anne; and Ranch. A number of original auto-houses, depicted on the Sanborn Maps, also survive.

The Forest Hill Annex Historic District is eligible for listing on the National Register of Historic Places under Criterion A as an example of an early twentieth-century suburb of Richmond, Virginia. The neighborhood developed initially as a "streetcar suburb" served by the Forest Hill street railway. The neighborhood expanded further as an automobile suburb in the housing boom following World War II. The district retains a good level of integrity, comparable to other nominated streetcar suburbs in the Richmond metropolitan area.

## BIBLIOGRAPHY

- Ames, David L. and Linda Flint McClelland. *Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places*. Department of the Interior, National Park Service, 2002.
- Baist, G.W. Atlas of the City of Richmond. Philadelphia, PA, 1889.
- Beers, F.W. *Illustrated Atlas of the City of Richmond, VA*. c. 1876, updated c. 1890.
- Berkin, Carol Ruth, and Mary Beth Norton. *Women of America: A History*. Boston: Houghton Mifflin Company, 1979.
- Braukman, Stacy Lorraine, and Michael A. Ross. *Married Women's Property and Male Coercion: Untied States Courts and the Privy Examination, 1864-1887*. Johns Hopkins University Press: *Journal of Women's History*, Vol. 12, No. 2, Summer, 2000, 57-80.
- Chataigne's Directory of Manchester, VA*. J.H. Chataigne, compiler and publisher. 1891-1892.
- Chesterfield County, Virginia, Deed Books.
- Chesterfield County, Virginia, Land Tax Books.
- Chesterfield County, Virginia, Order Books  
42-215; 42-216A; 42-234; 42-234A; 42-240A; 42-241; 42-253A; 42-254;
- Chesterfield County, Virginia, Plat Books.
- Chesterfield County, Virginia, Organization Records, 1892-1937*. Local government records collection, Chesterfield County Court Records. The Library of Virginia, Richmond, Virginia 23219.
- Common Law*. Kiralfy, Albert Roland, Emeritus Professor of Law, King's College, University of London; Mary Ann Glendon, Learned Hand Professor of Law, Harvard University; and Andrew D.E. Lewis, Professor of Comparative Legal History, University College, London. <http://www.britannica.com/EBchecked/topic/128386/common-law>.
- Commentaries on the Laws of England (1765-1769)*. Sir William Blackstone. Accessed online 13 December 2013. [www.lonang.com/exlibris/blackstone/](http://www.lonang.com/exlibris/blackstone/)
- Haddock's Directory of Manchester, Virginia, and suburbs. Richmond, VA: T.M. Haddock & Co., 1893.
- Insurance Maps of South Richmond*. New York: Sanborn Map Company, 1919 with updates for 1927-1933.
- Lutz, Francis Earle. *Chesterfield: An Old Virginia County*. Richmond, VA: William Byrd Press, 1990.
- Map of Chesterfield County, Virginia*. Made by order of the Board of Supervisors. J.E. LaPrade Surveyor. Published 1888 from surveys completed in the 1860s.
- Map of the City of Manchester, Va. And surrounding territory. Made for A.J. Bradley & Co. Real Estate Agents. James T. Redd & Son, Surveyors & Engineers. Richmond, VA: A. Hoen & Co. Photo. Lith. [n.d. c. 1893]. Library of Virginia Map 755.44.
- Map of Richmond, Manchester and Suburbs, 1890. F.W. Beers. Richmond, VA: J. Thompson Brown & Co., 1890.
- McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred Knopf, 1991.
- McKenny, Carlton N. *Rails in Richmond*. Glendale, CA: Interurban Press, 1986.
- Rosendorf's Business Directory of the City of Manchester*. S. Rosendorf, publisher, 1888.
- Salmon, Marylynn. *Women and the Law of Property in Early America*. Chapel Hill: University of North Carolina Press, 1986.
- Women's Voices, Women's Lives: Documents in Early American History*. Edited by Carol Berkin and Leslie Horowitz. Boston: Northeastern University Press, 1998.

**Applicant Information** (Individual completing form if other than legal owner of property)Mr. ☐ Mrs. ☐Ms. ☒ Miss ☐

Nancy W. Kraus

(Name)

6224 New Harvard Lane

(Address)

Glen Allen

(City)

VA

(State)

23059

(Zip Code)

nancy.kraus@gmail.com

(Email Address)

804-304-6053

(Daytime telephone including area code)

Applicant's Signature:

Date: 13 December 2013

**Notification**

In some circumstances, it may be necessary for the department to confer with or notify local officials of proposed listings of properties within their jurisdiction. In the following space, please provide the contact information for the local County Administrator or City Manager.

Mr. ☐ Mrs. ☐ Dr. ☐Miss ☐ Ms. ☐ Hon. ☒

Dwight C. Jones

(Name)

Mayor

(Position)

900 East Broad Street

(Locality)

(Address)

Richmond

VA

23219

804-646-7970

(City)

(State)

(Zip Code)

(Daytime telephone including area code)

Please use the following space to explain why you are seeking an evaluation of this district.

The Forest Hill Property Owners' Historic Designation Committee, a group of property owners within the boundaries of Forest Hill Annex, seeks recognition of the historic and architectural significance of the neighborhood as a local streetcar suburb.

Would you be interested in the State and/or the Federal Rehabilitation Tax Credits? Yes ☒ No ☐

Would you be interested in the easement program? Yes ☐ No ☒

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<sup>1</sup> McClelland, Linda Flint, David L. Ames, and Sarah Dillard Pope, *National Register of Historic Places Multiple Property Documentation Form: Historic Residential Suburbs in the United States, 1830-1960*, 2002.

<sup>2</sup> Ancestry.com.

<sup>3</sup> Michael Stein (1837-1908) was also born in Germany. He emigrated to Virginia sometime before 1860. *From Rosendorf's Business Directory of the City of Manchester*, S. Rosendorf, publisher, 1888: LIST OF THE Principal Business Houses of Manchester. MEATS. Stein, M. 1018 Hull. ESTABLISHED 20 YEARS. M. STEIN. See also Ancestry.com.

<sup>4</sup> 1880 Census: Stein, Michael, 43, butcher; Katharina, 37, keep house; Valentine, 17, butcher; William, 15, butcher; George A., 13, at school; Louisa, 11, at school; Charles, 5.

<sup>5</sup> Census reports show that Katharina Stein lived near Manchester between 1862 and 1910 when she moved to the City of Richmond to live with one of her children. She is buried in Oakwood Cemetery.

<sup>6</sup> Chesterfield County Deed Book 62-492-492: (1) "the home and lot and improvements situated on Hull between 10<sup>th</sup> and 11<sup>th</sup> Streets in said city [Manchester]; (2) one house and lot situated on 11<sup>th</sup> between Hull and Decatur Streets; (3) a house and lot on 10<sup>th</sup> between Hull & Decatur Streets; (4) two acres of land with the improvements thereon situated in Marx addition near the corporation line near the terminus of 9<sup>th</sup> Street in said city.

<sup>7</sup> The full clause reads: The property was to be held "*In Trust for the sole use and benefit of the said Catherine Stein the wife of the said Michael Stein free from the control of her present and any future husband she may have, she stating the rents issues and proffits thereof and managing the same as if she were a 'femme sole', with free power to sell, mortgage, or exchange the said property or any part thereof and to make such investments as she may think proper, or any part thereof, and any instrument in writing signed and acknowledged, as the law directs, by her and her said trustee shall fully convey such title as is, or shall be intended to be conveyed by said instrument, and the said Catherine whether married or single shall have the power, by a writing in the nature of a last will and testament attested as the law directs, to devise and bequeath the said hereby conveyed property as she may think proper. And in the event shall depart this life without having made and executed such will or writing as aforesaid, the property hereby conveyed shall pass and descend to her children by her present husband and their descendants in the same manner as is provided by the Statute of Virginia relating descents where parties shall be intestate, that is that the descendants of any deceased child shall take per stirpes the share the parent would have been entitled to if living.*" *Per stirpes* is a legal term in Latin. The estate of a decedent is distributed *per stirpes* if each branch of the family is to receive an equal share of an estate. See Chesterfield County Deed Book 62-492-493. 15 September 1879.

<sup>8</sup> Chesterfield County Deed Book 67-472-474 and ref. 53-142.

<sup>9</sup> See Chesterfield County Deed Books 41-536; 45-488; 45-719; 46-137; 48-262; 63-26; 67-472; 87-481; 95-149; 98-60; 106-429; 109-473.

<sup>10</sup> Chesterfield County Deed Books 87-481-483; 98-60-61; 106-429-430; 109-473-474.

<sup>11</sup> Chesterfield County Deed Book 113-571-572.

<sup>12</sup> Chesterfield County Land Book 1909.

<sup>13</sup> Chesterfield County Deed Book 114-562-565.

<sup>14</sup> Chesterfield County Deed Book 118-482.

<sup>15</sup> Chesterfield County Deed Book 138-265-267.

<sup>16</sup> Chesterfield County Deed Book 117-160.

<sup>17</sup> Chesterfield County Deed Books DB 65-97 and 65-98-99.

<sup>18</sup> Chesterfield County Deed Books 117-130-131; 117-161-162; 117-155-156.

<sup>19</sup> Chesterfield County Deed Book 123-166-167.

<sup>20</sup> Chesterfield County Deed Book 108-499-500.

<sup>21</sup> Chesterfield County Deed Book 127-529-530.

<sup>22</sup> For an in-depth analysis, see *Common Law*. Kiralfy, Albert Roland, Emeritus Professor of Law, King's College, University of London; Mary Ann Glendon, Learned Hand Professor of Law, Harvard University; and Andrew D.E. Lewis, Professor of Comparative Legal History, University College, London.

[www.britannica.com/EBchecked/topic/128386/common-law](http://www.britannica.com/EBchecked/topic/128386/common-law).

<sup>23</sup> Common law is judicial (court-based) in contrast to civil law embodied in equity and statute law.

<sup>24</sup> *Commentaries on the Laws of England* (1765-1769). Sir William Blackstone. Accessed online 13 December 2013. [www.lonang.com/exlibris/blackstone/](http://www.lonang.com/exlibris/blackstone/)

<sup>25</sup> James Kent of New York and Joseph Story of Massachusetts wrote influential commentaries on common law and equity in the 1830s.

<sup>26</sup> For a comprehensive history, see Salmon, Marylynn. *Women and the Law of Property in Early America*. Chapel Hill: University of North Carolina Press, 1986.

<sup>27</sup> *Femme Seule* and *Femme Couverte* are standard contemporary French spellings for *feme sole* and *feme covert*, early English spellings of medieval Anglo-Norman terms.

<sup>28</sup> The Blackstone text that established the basis of *femme couverte* is as follows: "*By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during the*

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marriage, or at least is incorporated and consolidated into that of the husband: under whose wing, protection, and cover, she performs every thing; and is therefore called in our law-French a *feme-covert*; is said to be *covert-baron*, or under the protection and influence of her husband, her baron, or lord; and her condition during her marriage is called her *coverture*. Upon this principle, of a union of person in husband and wife, depend almost all the legal rights, duties, and disabilities, that either of them acquire by the marriage. I speak not at present of the rights of property, but of such as are merely personal. For this reason, a man cannot grant any thing to his wife, or enter into covenant with her: for the grant would be to suppose her separate existence; and to covenant with her, would be only to covenant with himself: and therefore it is also generally true, that all compacts made between husband and wife, when single, are voided by the intermarriage.”

See Commentaries on the Laws of England (1765-1769). Sir William Blackstone. Accessed online 13 December 2013. [www.lonang.com/exlibris/blackstone](http://www.lonang.com/exlibris/blackstone).

<sup>29</sup> There are a few cases in early American legal history where a woman was permitted to execute contracts independent of her husband as a *femme seule* trader, particularly when her husband was incapacitated or away for extended periods of time as in the case of a ship-captain. Typically, legal action was required to establish a married woman's legal separateness from her husband. see Salmon, Marylynn. *Women and the Law of Property in Early America*. Chapel Hill: University of North Carolina Press, 1986, 55-56.

<sup>30</sup> In some rare cases, *femme seule* applied to a woman whose legal subordination to her husband had been legally invalidated by a trust, a prenuptial agreement, or a judicial decision.

<sup>31</sup> In legal documents, women generally exercised these rights through a trustee, usually an attorney or family member who represented a woman's interests.

<sup>32</sup> Chesterfield County Deed Book 65:97, 17 April 1874, and 65:98-99, 26 August 1881.

<sup>33</sup> The deed conveyed the Fonticello property to Nannie Taylor, with the restriction that she pay the difference in value between the Fonticello property and the dowry which she brought into the marriage. She had no claim to other marital property.

<sup>34</sup> Braukman, Stacy L. and Micheal A. Ross. *Married Women's Property and Male Coercion: United States Courts and the Privy Examination, 1864-1887*. Project MUSE. Published by The Johns Hopkins University Press. *Journal of Women's History*, Volume 12, Number 2, Summer 2000, 59.

<sup>35</sup> Nannie Taylor's actions may have been precipitated by economic necessity. She had been abandoned by her husband, left alone with their children, while he established a second household with his mistress and their children.

<sup>36</sup> Chesterfield County Deed Book 65:98-99.

<sup>37</sup> Braukman, Stacy L. and Micheal A. Ross. *Married Women's Property and Male Coercion: United States Courts and the Privy Examination, 1864-1887*. Project MUSE. Published by The Johns Hopkins University Press. *Journal of Women's History*, Volume 12, Number 2, Summer 2000, 59.

<sup>38</sup> Braukman, Stacy L. and Micheal A. Ross. *Married Women's Property and Male Coercion: United States Courts and the Privy Examination, 1864-1887*. Project MUSE. Published by The Johns Hopkins University Press. *Journal of Women's History*, Volume 12, Number 2, Summer 2000, 59.

<sup>39</sup> Braukman, Stacy L. and Micheal A. Ross. *Married Women's Property and Male Coercion: United States Courts and the Privy Examination, 1864-1887*. Project MUSE. Published by The Johns Hopkins University Press. *Journal of Women's History*, Volume 12, Number 2, Summer 2000, 61.